

IBM Docket No: FIS920000169US1
Declaration and Power of Attorney for Patent Application

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**METHOD FOR IMPROVING PRODUCTION THROUGH COST OF YIELD
MEASUREMENT**

the specification of which (check one)

is attached hereto.

was filed on _____ as Application Serial No._____ and was amended on
_____._____

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability as defined in 37 CFR §1.56.

I hereby claim foreign priority benefits under 35 USC §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):

| Number | Country | Day/Month/Year | Priority Claimed |
|--------|---------|----------------|------------------|
|--------|---------|----------------|------------------|

I hereby claim the benefit under 35 USC §119(e) of any United States provisional application(s) listed below:

| Application Number | Filing Date |
|--------------------|-------------|
|--------------------|-------------|

I hereby claim the benefit under 35 USC §120 of any United States application(s), or §365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 USC §112, I acknowledge the duty to disclose information material to the patentability of this application as defined in 37 CFR §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

Prior U.S. Applications:

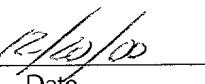
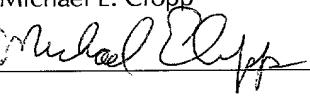
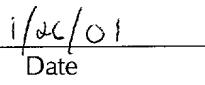
| Serial No. | Filing Date | Status (patented, pending, abandoned) |
|-------------------|--------------------|--|
|-------------------|--------------------|--|

I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: Anthony P. DeLio (Reg. No. 18,729); Peter W. Peterson (Reg. No. 31,867); John J. Tomaszewski (Reg. No. 26,241); Robert Curcio (Reg. No. 44, 638); Joseph P. Abate (Reg. No. 30,238); Jay H. Anderson (Reg. No. 38,371); Ira D. Blecker (Reg. No. 29,894); Steven Capella (Reg. No. 33,086); T. Rao Coca (Reg. No. 29,784); Dale M. Crockatt (Reg. No. 35,109); Harold Huberfield (Reg. No. 26,665); Todd M.C. Li (Reg. No. 45,554); Susan Murray (Reg. No. 38,252); Daryl K. Neff (Reg. No. 38,253); Margaret A. Pepper (Reg. No. 45,008); Eric W. Petraske (Reg. No. 28,459); Marc D. Schechter (Reg. No. 28,989); H. Daniel Schnurmann (Reg. No. 35,791); William P. Skladony (Reg. No. 33,787); Tiffany L. Townsend (Reg. No. 43,199).

Address all telephone calls to: **Peter W. Peterson of DeLIO & PETERSON, LLC** at (203) 787-0595.

Address all correspondence to: **DeLIO & PETERSON, LLC**
121 Whitney Avenue
New Haven, CT 06510

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

| | | | | |
|-----|----------------------|---|---|---|
| (1) | Inventor: | Thomas A. McPhee |  |  |
| | Signature: | | | Date |
| | Residence: | 6 Miller Drive, Hopewell Junction, NY 12533 | | |
| | Citizenship: | USA | | |
| | Post Office Address: | SAME AS RESIDENCE | | |
| (2) | Inventor: | Michael E. Cropp |  |  |
| | Signature: | | | Date |
| | Residence: | 24 Beaver Road, LaGrangeville, NY 12540 | | |
| | Citizenship: | USA | | |
| | Post Office Address: | SAME AS RESIDENCE | | |

(3) Inventor: Donald Diangelo
Signature: Donald D. Diangelo Date 1/18/01
Residence: 87 Watch Hill Drive, Fishkill, NY 12524
Citizenship: USA
Post Office Address: SAME AS RESIDENCE

(4) Inventor: Alberto H. Gay
Signature: _____ Date _____
Residence: 1813 SW 49th Street #174, Corvallis, OR 97333
Citizenship: USA
Post Office Address: SAME AS RESIDENCE

(5) Inventor: Carmella Pemberton
Signature: Carmella Pemberton Date 1/15/01
Residence: 33 Lane Gate Road, Wappingers Falls, NY 12590
Citizenship: USA
Post Office Address: SAME AS RESIDENCE

(6) Inventor: Joseph Saltarelli
Signature: Joseph Saltarelli Date 1/12/01
Residence: 334 Overlook Road, Pleasant Valley, NY 12569
Citizenship: USA
Post Office Address: SAME AS RESIDENCE

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| | | | |
|-----|----------------------|---|--|
| (1) | Inventor: | Thomas A. McPhee |  |
| | Signature: | | 12/20/00 Date |
| | Residence: | 6 Miller Drive, Hopewell Junction, NY 12533 | |
| | Citizenship: | USA | |
| | Post Office Address: | SAME AS RESIDENCE | |
| (2) | Inventor: | Michael E. Cropp | |
| | Signature: | | Date |
| | Residence: | 24 Beaver Road, LaGrangeville, NY 12540 | |
| | Citizenship: | USA | |
| | Post Office Address: | SAME AS RESIDENCE | |

(3) Inventor: Donald Diangelo
Signature: _____ Date
Residence: 87 Watch Hill Drive, Fishkill, NY 12524
Citizenship: USA
Post Office Address: SAME AS RESIDENCE

(4) Inventor: Alberto H. Gay
Signature: Alberto H. Gay Date 1/21/01
Residence: 1813 SW 49th Street #174, Corvallis, OR 97333
Citizenship: USA
Post Office Address: SAME AS RESIDENCE

(5) Inventor: Carmella Pemberton
Signature: _____ Date
Residence: 33 Lane Gate Road, Wappingers Falls, NY 12590
Citizenship: USA
Post Office Address: SAME AS RESIDENCE

(6) Inventor: Joseph Saltarelli
Signature: _____ Date
Residence: 334 Overlook Road, Pleasant Valley, NY 12569
Citizenship: USA
Post Office Address: SAME AS RESIDENCE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

APPLICANT: Thomas A. McPhee et al.

SERIAL NO.:

FILING DATE:

FOR: **METHOD FOR IMPROVING PRODUCTION
THROUGH COST OF YIELD MEASUREMENT****ASSOCIATE POWER OF ATTORNEY**

Assistant Commissioner for Patents
Washington, D.C. 20231

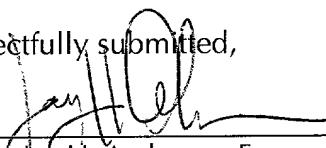
Sir:

INTERNATIONAL BUSINESS MACHINES CORPORATION, owner of the above identified patent application, hereby appoints Christopher A. Hughes, Reg. No. 26,914; Edward A. Pennington, Reg. No. 32,588; John E. Hoel, Reg. No. 26,279; and Joseph C. Redmond, Jr., Reg. No. 18,753; all of Morgan & Finnegan, as its associate attorneys to prosecute said patent application, to make alterations and amendments therein, to take any and all other actions with regard to this patent application and the resulting patent and to transact all business with the Patent and Trademark Office connected therewith.

Please continue to address all future correspondence to:

**DeLIO & PETERSON, LLC
121 Whitney Avenue
New Haven, CT 06510**

Respectfully submitted,

By: 

Jay H. Anderson, Esq.
Reg. No. 38,371

CERTIFICATION OF MAILING UNDER 37 CFR 1.10

"Express Mail" mailing label number EK140475770S Date of Deposit: 1/26/01 I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

Name: K.C INQ-MARS Signature: Karen C. Ingo-Mars 1/26/01